

TODD M. LEVENTHAL, ESQ
LEVENTHAL AND ASSOCIATES PLLC.
Nevada Bar No. 008543
California Bar No.223577
626 South Third Street
Las Vegas, Nevada 89101
(702) 427-8686
Attorney for JAMES

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
vs.)
)
EVERLY JAMES,)
)
Defendant.)

2:17-cr-000180-JAD-PAL-2

**STIPULATION TO CONTINUE
TIME FOR OBJECTIONS TO THE
MAGISTRATE'S REPORT AND
RECOMMENDATION**

IT IS HEREBY STIPULATED AND AGREED by and between Defendant, EVERLY JAMES, by and through his counsel, TODD M. LEVENTHAL, ESQ., and the United States of America, by its counsel, TONY LOPEZ, ESQ, Assistant U.S. Attorney, that the time to object to the Magistrate's Report and Recommendation in the above-captioned matter be continued for 2 weeks.

This Stipulation is entered into for the following reasons

1. Mr. Leventhal was appointed to represent Mr. James on May 31, 2018.
2. Mr. Leventhal has diligently read through much of the discovery in this matter. Mr. Leventhal has spoken to Mr. James as to his wish to proceed with the objection.
3. Mr. Leventhal needs additional time to consider whether or not this objection would be in Mr. James best interest.
3. The parties are currently in negotiation and need additional time that may alleviate the need to object.
4. Additionally, denial of this request for a continuance could result in a miscarriage of

1 justice.

2 5. Mr. Leventhal has spoken to TONY LOPEZ, Assistant United States Attorney, and he
3 has no objection to this continuance.

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7 DATED this 19TH day of JUNE, 2018.

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10 -s-
11 TODD M. LEVENTHAL, ESQ.
Counsel for defendant

-s-
TONY LOPEZ, ESQ.
Assistant U.S. Attorney

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FINDINGS OF FACT

Based on the stipulation of counsel, and good cause appearing, the Court finds that:

1. Mr. Leventhal was appointed to represent Mr. James on May 31, 2018.

2. Mr. Leventhal has diligently read through much of the discovery in this matter. Mr. Leventhal has spoken to Mr. James as to his wish to proceed with the objection.

3. Mr. Leventhal needs additional time to consider whether or not this objection would be in Mr. James best interest.

3. The parties are currently in negotiation and need additional time that may alleviate the need to object.

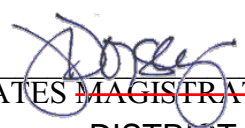
4. Additionally, denial of this request for a continuance could result in a miscarriage of justice.

5. Mr. Leventhal has spoken to TONY LOPEZ, Assistant United States Attorney, and he has no objection to this continuance.

ORDER

Accordingly, IT IS SO ORDERED that the current deadline in which to file an objection to the Magistrate's Report and Recommendation currently set for June 20, 2018 is hereby vacated and the same is continued and reset to July 4, 2018

DATED: June 22, 2018.
Nunc pro tunc: June 20, 2018.


UNITED STATES ~~MAGISTRATE~~ JUDGE
DISTRICT